

### REMARKS/ARGUMENTS

In response to the Examiner's FINAL Office Action of September 04, 2008 issued in relation to the present Patent Application, the Applicant submits Amendments to the claims, as well as the below Remarks.

Claims 8, 9, 33, 34, 48-50, 52, 53 and 57-60 are presented for examination. Claims 57, 58 and 59 are independent claims.

***Regarding 35 USC 102 Rejections***

Claims 8, 9, 33, 34, 48-50, 52, 53 and 57-60 are rejected under 35 USC 102(e) as being unpatentable over Shafer et al. (US 7,165,722).

The pending claims have been amended to more clearly define the invention. The coded data encodes both the product item's identity and the coded data's position. This allows regions on the surface of the product item to be associated with a specific function, such as facilitation communication in the present case. Accordingly, the method determines from the position information that the sensing data is indicative of a communication request. The provider is determined from the product item identity.

Shafer fails to teach the invention defined in the independent claims, as amended. Independent claims 57-59 are therefore submitted to be allowable.

Claims 8, 9, 33, 34, 48-50, 52, 53 and 60 are dependent on one or more of claims 57-59, and are believed to be patentable for at least the reasons presented with regards to those claims.

### **CONCLUSION**

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicant/s:




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